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S E C R E T SECTION 01 OF 03 KABUL 005679

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DEPT FOR SCA/FO DAS GASTRIGHT,S/CT,SCA/A,  
NSC FOR AHARRIMAN,  
CENTCOM FOR POLAD, CG CFC-A, CG CJTF-76,  
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STATE PASS USAID FOR AID/ANE, AID/DCHA/DG,

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TAGS: [PGOV](#) [PINR](#) [PREL](#) [PTER](#) [AF](#)

SUBJECT: KARZAI RELAYS PRESSURE TO RELEASE BAGHLAN WARLORD  
AMIR GUL

REF: A. KABUL 03317

[B](#). HOTR WASHINGTON DC 300715Z JUL06

[C](#). IAP200611129500103

Classified By: Ambassador Ronald Neumann for reasons 1.4 (b) & (d)

[1](#)1. (SUMMARY): (S) President Karzai on 30 November initially urged the Ambassador, COMISAF, and UNAMA Special Representative (SRSG) to endorse the release of former Taliban commander Amir Gul, a prominent Baghlan warlord now in National Directorate of Security (NDS) custody. Karzai wants Gul released to ameliorate adverse Pashtun reaction to the November 8 killing by ISAF of another Pashtun, Wali Mohammed Ebrahim Khel, in Balkh's Charbolak District, a death now under ISAF investigation. Eventually, President Karzai accepted the idea of having Attorney General (AG) Sabit review whether evidence against Gul is sufficient for trial. To allow time for AG review, Karzai agreed to hold off for one week on a decision. A Balkh Pashtun delegation later emphasized to the Ambassador, COMISAF, and the UNAMA SPSG that they did not see an anti-Pashtun link between Amir Gul's detention and Wali Mohamed's death and stated Gul should be prosecuted if evidence is sufficient. They also outlined their disagreement with local government actions inciting Pashtuns, prompting COMISAF to pledge to instruct the German ISAF commander to consult with their community. Karzai is under pressure from northern Pashtuns on purely political issues as well that may be influencing his judgment.

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Karzai Emphasizes Pashtun Pressure  
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[1](#)2. (S) Amir Gul, a Pashtun former Taliban commander and prominent Baghlan warlord, has been in National Directorate of Security (NDS) detention since his capture on/about July 12, 2006 by Afghan National Army (ANA) and coalition forces. In Gul's compound forces discovered an extensive cache of weapons, explosive devices, uniforms, and a containerized vehicle assessed as ready for transformation into a VBIED within 10 minutes (reftel B). The seized materials were not "typical mujaheddin leftovers" from the Soviet period (reftel A) and implicated Gul in attacks against ISAF forces, including a June suicide car bomb attack in Kunduz.

13. (S) On 30 November, President Karzai urged the Ambassador, COMISAF, and UNAMA Special Representative of the Secretary General (SRSG) Koenigs to release Gul to ameliorate

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adverse Pashtun reaction to the killing by ISAF on 8 November of another Pashtun, Wali Mohammed Ebrahim Khel, in Balkh's Charbolak Province, a death COMISAF confirmed is now under ISAF investigation (reftel C). Karzai stated Pakistan was characterizing Gul's detention as anti-Pashtun, northern Pashtuns were protesting, and that Gul's detention was due to pressure from foreign partners rather than evidence of wrongdoing. Although coalition and provincial officials previously dissuaded Karzai, who apparently knows Gul well, from requesting Gul's release (reftel A), Karzai now stated that reaction to Wali Mohammed's death made Gul's release imperative.

14. (S) The Ambassador, COMISAF, and UNAMA SRSG suggested Attorney General (AG) Sabit evaluate whether evidence is sufficient to bring Gul to trial. The Ambassador pointed out that Karzai's handling of Gul's case would highlight the difference between a system of influence and one of law and that the Ministry of Interior Probation Board's dismissal of 11 ex-Northern Alliance commanders would undercut insinuations that the GOA is targeting Pashtuns. Characterizing Gul's detention as primarily a legal and political issue, COMISAF reiterated to Karzai the extensive allegations against Gul (reftel A), noting Gul's Disarmament of Illegally Armed Groups (DIAG) contributions had been of old, unserviceable weapons and that ISAF had targeted him because he was involved in attacks against coalition forces. COMISAF reassured Karzai that ISAF is conducting a serious inquiry into the death of Wali Mohammed and that he would

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express his regrets to the Balkh delegation. UNAMA's SRSG emphasized Gul's human rights violations and threats against UN officers in Baghlan.

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NDS, MOD, MOI Concerns  
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15. (S) Ministries reportedly part of a commission to investigate Wali Mohammed's death (reftel C) were also present and expressed hesitation about prosecuting Amir Gul in light of other higher priority targets. NDS Head Amrullah Saleh, a Tajik, indicated that neither evidence provided by the international community nor applicable law on internal and external security would be enough to convict Gul. He praised Gul's contributions to DIAG and dismissed Gul's alleged involvement in a murder of a Canadian citizen. While Ministry of Defense (MOD) Deputy Nuristani endorsed giving the AG a chance to evaluate the evidence against Gul, he cautioned it was not very strong, noting that since Gul had been DIAG's top Northern contributor, he would have had many weapons ready for DIAG. Ministry of Interior (MOI) Deputy Khalid Farahi characterized Gul as a "bad man," but noted there were worse. Palace Chief of Staff Jawed Luddin expressed concern that taking Gul's case to court would lead the GOA down a 'dangerous road'--a road the Ambassador suggested would instead take the GOA in the direction of a system of law rather than one of influence.

16. (S) NDS head Saleh highlighted two other possible prosecutorial targets: Nazri Mohammad, whose militia is suspected of attacking the German PRT while holding the PRT's security contract, and non-Pashtun alleged murderers of two German journalists. While COMISAF indicated ISAF support for prosecuting targets identified by the MOI and the German UNAMA SRSG noted likely German government support for such decisions, MOI Deputy Khalid Farahi reported that an MOI operation to capture the alleged murders had been thwarted by an independent German ISAF operation.

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Balkh Pashtun Elders Emphasize Support for ISAF  
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17. (S) In a separate meeting without President Karzai or NDS, MOD, and MOI officials present, COMISAF expressed regret over the death of Wali Mohammed to his father, Balkh delegation leader Akhtar Muhammad Khan, a former jihadi commander. Questioned by the Ambassador on whether they felt Wali Mohammed's death should prompt the release of Amir Gul, Akhtar Muhammad, MP Ms. Naseri, and several elders responded that Amir Gul's situation had nothing to do with Wali Mohammed's case. They also emphasized that the foreign military presence protected Pashtuns, that attacks on foreigners were un-Islamic, and that district problems were due to factional, political agenda issues, not ethnic rivalry. (Note: Coalition intelligence on December 4 cites Akhtar Muhammad as telling Taliban and Hezb-e-Islami Gulbuddin commanders that they should seek revenge against ISAF and the ANA if the GOA did not identify those responsible for killing his son. End note) They recommended ISAF move an army post so their community will not be blamed for attacks they are not mounting on the post, and recommended the local German ISAF forces consult with the police chief, the only local official from their ethnic group. They also offered documentation of local government representatives' efforts to incite Pashtuns by telling them ISAF was against them, including a speech by Governor Atta, who had been quoted on television as saying of Wali Mohammed, "the Americans shot him dead" (reftel C). COMISAF pledged to tell the German ISAF commander to engage with their community.

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Comment  
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Karzai is under a variety of pressures in the north. According to Meshrano Jirga Speaker Hamid Gailani there are Pashtun minorities in the north who fled as refugees during the fighting and now want to reclaim land from dominate Tajiks. The Tajiks are refusing. In some cases the Pashtuns sided with the Taliban in the past. They are now complaining to Karzai, including a group of Parliamentary deputies, but Karzai lacks the strength in the north to adjudicate the issues. ISAF does not have a mandate to get into land and criminal issues and the German ISAF forces in the north are disinclined to become engaged, much to UNAMA SRSG's dismay (he is a German national). In these circumstances pressing ISAF for Gul's release may be one of the few cards Karzai can play to relieve the pressure when the foreigners can't or won't help him with the deeper issues. End Comment

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